

SENATOR NICHOL: Okay, thank you.

PRESIDENT: Senator DeCamp.

SENATOR DeCAMP: Mr. President, this is one of the most important bills this year to come out of the Banking Committee as a result of a study and it has become much more important just in the last month or so and I might advise you that it applies to more than just banks, of course, any lending institution, any institution that would have information, confidential information, that they were going to turn over to somebody, and at the present time in Nebraska, 't is uncertain as to when they have to or when they don't have to. Now, if they make an error, and this is why I say it has become important just in the last month, if they make an error and turn over some information, then somebody can turn around and sue them. They want some standards. If somebody comes in and presents them with a court order and says, you give us this information, such as an IRS person, that is one thing, but if some guy says I am from the IRS and he shows a badge or some guy says I am from the local law enforcement and I want to look through such and such's secret bank account records, well, at the present time, it is up in the air. Do I let him look or don't I and why do I or why don't I? This just sets a standard so that everybody knows what they have to do to get that information and the person who has the information knows only when he has to turn it over. So it is a very important bill.

PRESIDENT: Senator Hefner.

SENATOR HEFNER: Mr. President, members of the Legislature, I would like to ask Senator Koch a question.

SENATOR KOCH: Yes, sir.

SENATOR HEFNER: How about when a business calls up the bank to see whether there is sufficient money in there to cover a check?

SENATOR KOCH: That is what Senator Nichol and I were talking about. We consider that day to day activity. That is not necessarily divulging anything that you would not normally divulge anyway.

SENATOR HEFNER: Okay, then I have another question. In an ordinary business, that is not a bank, the IRS or any other group that would want to check on somebody's financial ability to pay or his account would also have to have a court order, is that right?

SENATOR KOCH: The bank could demand if they felt that you hadn't been properly notified that they show some legal document, the fact that they are about to request that your financial account or whatever it might be is going to be examined. I am sure they would probably win in the end but at least I would be knowledgeable.

SENATOR HEFNER: Okay, thank you.

PRESIDENT: Senator Kahle.

SENATOR KAHLE: Mr. President and members of the body, I